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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR08-380-RSL
10)
11 Plaintiff,)
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14 v.)
15 MICHAEL WALTER ROOT,)
16)
17 Defendant.)
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24 An initial hearing on supervised release revocation in this case was scheduled before me
25 on April 26, 2012. The United States was represented by AUSA Norman Barbosa for Bruce
26 Miyake and the defendant by Terrence Kellogg. The proceedings were digitally recorded.

27 Defendant had been sentenced on or about July 10, 2009 by the Honorable Robert S.
28 Lasnik on a charge of Bank Robbery, and sentenced to 44 months custody, three years
29 supervised release.

30 The conditions of supervised release included the standard conditions plus the
31 requirements that defendant participate in a substance abuse program, abstain from alcohol,
32 submit to search, participate in a mental health program, pay restitution in the amount of

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35 SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
36 TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

01 \$7,170.00, provide his probation officer with financial information as requested, maintain a
02 single checking account for all financial transactions, be prohibited from incurring new credit
03 obligations or opening new lines of credit, and be prohibited from employment for cash or
04 self-employment or employment by persons known to defendant unless pre-approved by his
05 probation officer. (Dkt. 57.)

06 The conditions of supervised release were modified on March 7, 2012 to require
07 defendant to reside in a residential reentry center for up to 120 days. (Dkt. 59.)

08 In an application dated (Dkt. 60, 61), U.S. Probation Officer Christopher S. Luscher
09 alleged the following violation of the conditions of supervised release:

10 1. Failing to satisfactorily participate in a residential reentry center program, on or
11 about April 24, 2012, in violation of his special condition of supervised release.

12 Defendant was advised in full as to the charge and as to his constitutional rights.

13 Defendant admitted the violation and waived any evidentiary hearing as to whether it
14 occurred.

15 I therefore recommend the Court find defendant violated his supervised release as
16 alleged, and that the Court conduct a hearing limited to the issue of disposition. The
17 disposition hearing will be set before Judge Lasnik.

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**SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE**

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01 Pending a final determination by the Court, defendant has been detained. A detention
02 hearing is set for April 30, 2012.

03 DATED this 26th day of April, 2012.

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Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Robert S. Lasnik
AUSA: Norman Barbosa
Defendant's attorney: Terrence Kellogg
Probation officer: Christopher S. Luscher